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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,333	03/22/2004	Kentaro Kawakami	000549A	9081
23850	7590	11/13/2006		
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006				
			EXAMINER STAICOVICI, STEFAN	
			ART UNIT 1732	PAPER NUMBER

DATE MAILED: 11/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/805,333

Applicant(s)

KAWAKAMI ET AL.

Examiner

Stefan Staicovici

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/557,176.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/22/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because a patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. Specifically, the instant claimed invention is drawn to a process of making a vessel body, whereas the Abstract describes an apparatus for making a vessel body.

Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:

- on page 1, line 4, the status of US Application Serial No. 09/557,176 should be updated.

Specifically, after "2000", --now U.S. Patent No. 6,808,383-- should be inserted;

- on page 2, line 25, after "pottery", "day" should be replaced with --clay--;

- on page 5, line 11, before "type", "ratable" should be replaced with --rotatable--.

Appropriate correction is required.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "11" (see page 12, line 19) . Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of

an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claim 3 is objected to because of the following informalities: on line 1, after "body", it is suggested to insert --as--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 2 are rejected under 35 U.S.C. 102(a) as being anticipated by JP 11-157294.

JP 11-157294 teaches the claimed process for making a vessel body including, providing a rotatable female mold (2) and trowel (3), placing a material into said rotatable female mold, rotating said trowel such as to mold (pressed and spread) said material between the rotating surfaces of said female mold (3) and trowel (2) (see Abstract and, Figures 1 and 2).

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7. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 03-118107.

JP 03-118107 teaches the claimed process for making a vessel body including, providing a rotatable female mold (1) and trowel (5), placing a material into said rotatable female mold, rotating said trowel such as to mold (pressed and spread) said material between the rotating surfaces of said female mold (1) and trowel (5) (see Abstract and Figure 6).

8. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by UK 1 534 807.

UK 1 534 807 teaches the claimed process for making a vessel body including, providing a rotatable female mold (D) and trowel (8), placing a material into said rotatable female mold, rotating said trowel such as to mold (pressed and spread) said material between the rotating surfaces of said female mold (D) and trowel (8) (see page 2, lines 93-102 and, Figure 1).

9. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujii *et al.* (US Patent No. 4,857,256).

Fujii *et al.* ('256) teach the claimed process for making a vessel body including, providing a rotatable female mold (17) and trowel (3), placing a material into said rotatable female mold, rotating said trowel such as to mold (pressed and spread) said material between the rotating surfaces of said female mold (17) and trowel (3) (see Figures 9 and 10). Further, Fujii *et al.* ('256) teach that the velocity of the trowel is higher than the velocity of the mold (see col. 9, lines 10-20).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP 11-157294, JP 03-118107 or UK 1 534 807 in view of Fujii *et al.* (US Patent No. 4,857,256).

JP 11-157294, JP 03-118107 or UK 1 534 807 teaches the basic claimed process as described above.

Regarding claim 3, JP 11-157294, JP 03-118107 or UK 1 534 807 does not teach that the velocity of the trowel is higher than the velocity of the mold. Fujii *et al.* ('256) teach a process for making a vessel body including, providing a rotatable female mold (17) and trowel (3), placing a material into said rotatable female mold and rotating said trowel such as to mold (pressed and spread) said material between the rotating surfaces of said female mold (17) and trowel (3) (see Figures 9 and 10), wherein the velocity of the trowel is higher than the velocity of the mold (see col. 9, lines 10-20). Therefore, it would have been obvious for one of ordinary skill in the art to provide a trowel velocity higher than the mold velocity as taught by Fujii *et al.* ('256) in the process of JP 11-157294, JP 03-118107 or UK 1 534 807 because Fujii *et al.* ('256) specifically teach that flash is eliminated because the centrifugal force does not force the material outside the mold (see col.7, lines 10-15).

Conclusion

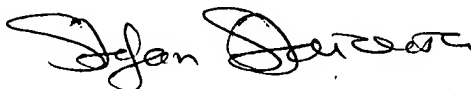
12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stefan Staicovici, PhD



Primary Examiner

11/8/06

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November 8, 2006